

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

RICHARD J. HILL,)	
)	Case No. 2:19-cv-159-JTN-MV
Plaintiff,)	
)	U.S. District Judge:
v.)	Hon. Janet T. Neff
)	
JUSTIN WONCH, and)	U.S. Magistrate Judge:
TOWNSHIP OF FORSYTH,)	Hon. Maarten Vermaat
)	
Defendants.)	

**PLAINTIFF RICHARD J. HILL'S RESPONSE TO DEFENDANT FORSYTH
TOWNSHIP'S REQUEST FOR PRE-MOTION CONFERENCE**

For background, Plaintiff refers the Court to his factual summary and argument in response to Defendant Wonch's Request for Pre-Motion Conference: PageID.93-PageID.95.

Mr. Hill's claim against the Township is brought under *Monell v. Dep't of Soc. Servs.*, 436 U.S. 658, 694, 98 S.Ct. 2018, 56 L.Ed.2d 611 (1978), and its progeny (*e.g.*, *Burgess v. Fischer*, 735 F.3d 462, 478 (6th Cir. 2013)). In its Request for Pre-Motion Conference, the Township is not seeking summary judgment on the elements of the *Monell* claim. Rather, it argues that because the § 1983 claim against Officer Wonch fails, the *Monell* claim against it must also fail. *See* PageID.87.

Because Mr. Hill's claim against Defendant Wonch should not be dismissed via summary judgment and Defendant Wonch violated Mr. Hill's constitution rights, the Township's argument should also fail. Forsyth Township is not entitled to summary judgment.

Respectfully submitted,

Numinen, DeForge & Toutant, P.C.

s/ Phillip B. Toutant

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